

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF GEORGIA
COLUMBUS DIVISION**

VINCENT TRAWICK,

Plaintiff,

v.

P.A. JOHNSON, *et al.*,

Defendants.

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CASE NO. 4:09-CV-103 (CDL)
42 U.S.C. § 1983

RECOMMENDATION

Defendants Johnson, Burt, Culpepper and Gaillard filed motions for a more definite statement, seeking to have Plaintiff file a more succinct and plain statement of his complaints against them. (R- 21, 23, 26). “A motion for more definite statement ‘is appropriate if a pleading is so vague or ambiguous that a party cannot be reasonably be required to frame a responsive pleading.’” *Betancourt v. Marine Cargo Mgmt.*, 930 F. Supp. 606, 608 (S.D. Fla. 1996) (quoting Fed. R. Civ. P. 12(e)). After reviewing Plaintiff’s complaint, it is clear that he failed to provide “a short and plain statement of the claim showing that the pleader is entitled to relief” in compliance with Federal Rule of Civil Procedure 8(a). The complaint must “give the defendant fair notice of what the plaintiff’s claim is and the grounds upon which it rests.” *Baldwin County Welcome Ctr. v. Brown*, 466 U.S. 147, n. 3 (1984) (quotations and citations omitted). Defendants’ Motions were granted on May 10, 2010, and June 8, 2010, respectively, and Plaintiff was given twenty-one days from the date of receipt in which to file said statements. Plaintiff in this case has wholly failed to respond to the Court’s Order directing him to file a more definite statement of his claims against the named

Defendants. Furthermore, it appears that Plaintiff has been released from confinement and has had no communication with the court since he sent a letter to the court advising of his new address on March 8, 2010. (R-6).

ACCORDINGLY, it is hereby RECOMMENDED that Plaintiff's case be dismissed for his failure to comply with the Court's Order to file a More Definite Statement. Pursuant to 28 U.S.C. § 636(b)(1), Plaintiff may file objections to this Recommendation in writing with the UNITED STATES DISTRICT COURT within FOURTEEN (14) DAYS after being served with a copy hereof.

So **RECOMMENDED**, this 12th day of July, 2010.

S/ STEPHEN HYLES
UNITED STATES MAGISTRATE JUDGE

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